

**TITLE 2: PUBLIC MORALS, SAFETY AND WELFARE
DIVISION 7: POLICE REGULATIONS AND PUBLIC PROTECTION
CHAPTER 13: COURTHOUSE SECURITY**

SECTIONS:

- 27.1301 Findings.**
- 27.1302 Definitions.**
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27.1301 Findings.

The Board of Supervisors finds and determines:

- (a) The San Bernardino County Sheriff is charged with providing security at the courthouses located within the County of San Bernardino.
- (b) In order to detect weapons and other illegal devices, metal detection equipment and/or other resources have been placed at County courthouses by the San Bernardino County Sheriff's Department and the Courts.
- (c) On numerous occasions individuals have attempted to enter County courthouses with weapons and other illegal devices, have attempted to bypass security screening equipment and other perimeter security resources, or have otherwise refused to stop and submit to a search by security personnel.
- (d) Persons who attempt to circumvent courthouse metal detectors or perimeter security pose a heightened risk of entering the courthouse with weapons and other illegal devices, thereby placing court personnel and the public in danger of violent activity.
- (e) The County Board of Supervisors desires to create criminal penalties for those who circumvent or attempt to circumvent courthouse security measures.

27.1302 Definitions.

As used in this Chapter, the following terms shall have the following meanings:

- (a) "Courthouse" means any courthouse located in the County of San Bernardino.
- (b) "Entry Screening Area" means (1) an entry area or main entryway that contains a metal detector, or (2) for any Courthouse that does not contain a metal detector, an entry area or main entryway designated as an Entry Screening Area by signs posted at the facility.
- (c) "Weapon" means a firearm, knife, taser, stun gun or similar weapon or device as defined in California Penal Code section 171b, 244.5, 12020, 12401 or 12402, as well as a knife or similar-type weapon with a blade over two inches long.

27.1303 Restricted Entry.

- (a) Each person entering a Courthouse shall enter by means of a designated Courthouse Entry Screening Area and must either submit his or her person and property to a screening for weapons or immediately leave the Courthouse and its grounds. This subdivision shall not apply to any peace officer entering a Courthouse on official business and not present as a party to an action who displays a current, valid, official photographic identification issued by a governmental law enforcement agency, except for good cause otherwise reasonably appearing to a weapons screener to conduct a weapons search of a peace officer. This subdivision shall also not apply to any person who has been specifically authorized by the San Bernardino County Superior Court to be currently exempted from Courthouse entry screening requirements entering a Courthouse on official business and not present as a party to an action who displays a current, valid, official photographic identification authorized for Courthouse entry by the San Bernardino County Superior Court, except for good cause otherwise reasonably appearing to a weapons screener to conduct a Weapons search of such a person. Notwithstanding the above, a peace officer or currently-exempt person entering a Courthouse as a party to an action shall be subject to entry and screening for Weapons via the Courthouse Entry Screening Area.
- (b) It is unlawful for any person to breach, defeat, bypass, or tamper, or attempt to breach, defeat, bypass, or tamper, with any mechanism, system or facility installed to prevent, bar, screen, or restrict access to a Courthouse or to a Courthouse Entry Screening Area with the intent to circumvent entry screening, or to aid or attempt to aid another in such a breach, defeat, bypass, or tampering, or attempted breach, defeat, bypass, or tampering.
- (c) It is unlawful for any person to enter or exit a Courthouse with the intent to circumvent or aid another to circumvent a Courthouse Entry Screening Area, by way of any access door, hallway, or entryway posted as "restricted" or "no access," unless expressly permitted to do so by a Sheriff's Deputy or designee whose formal duties and responsibilities include security of a Courthouse.

(d) It is unlawful for any person who refuses to submit his or her person and property to a screening for Weapons to refuse to immediately leave the Courthouse and its grounds.

(e) The provisions of this Chapter are in addition to the authority of the Sheriff to regulate parties and shall supplement, and not supplant, the exercise of any other law including, but not limited to, arrest or citation pursuant to the California Penal Code or local law.

27.1304 Penalty for Violation.

Any person violating any provision of this Chapter shall be guilty of an infraction or misdemeanor as hereinafter specified. Any person so convicted shall be: guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100.00) and not less than fifty dollars (\$50.00) for the first offense, unless that offense includes moving past a Courthouse Entry Screening Area when directed not to do so by a weapons screener or Sheriff's Deputy, in which case the first offense shall constitute a misdemeanor punishable by a fine not exceeding one thousand dollars (\$1,000.00) and not less than five hundred dollars (\$500.00), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment; guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200.00) and not less than one hundred dollars (\$100.00) for a second offense, unless that offense includes moving past a Courthouse Entry Screening Area when directed not to do so by a weapons screener or Sheriff's Deputy, in which case the second offense shall constitute a misdemeanor punishable by a fine not exceeding one thousand dollars (\$1,000.00) and not less than five hundred dollars (\$500.00), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment. The third and any additional offenses shall constitute misdemeanors and shall each be punishable by a fine not exceeding one thousand dollars (\$1,000.00) and not less than five hundred dollars (\$500.00), or by imprisonment for a term not exceeding six (6) months, or by both such fine and imprisonment.

Adopted Ordinance 3921 (2004),